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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Josep Vicent MERCADER BADIA et al.

Group Art Unit: 1657

Application No.: 10/551,989

Examiner: L. HOBBS

Filed: October 4, 2005

Docket No.: 125291

For: METHOD FOR DETECTING AND/OR IDENTIFYING BACTERIA PRESENT IN A
SAMPLE

APPLICANTS' SEPARATE RECORD OF TELEPHONE INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

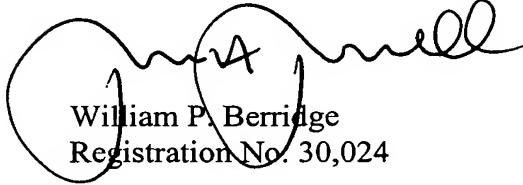
In reply to the March 23, 2009 telephone interview, please find below Applicants' record of the interview. The courtesies extended to Applicants' representative by Examiner Hobbs at the telephone interview are appreciated.

Applicants' representative traversed the rejection of independent claim 1 under 35 U.S.C. §103(a) over EP 0-259-116 to Holbrook in view of WO 2000/63668 to Taylor et al. (hereinafter "Taylor") and U.S. Patent No. 5,624,815 to Grant et al. (hereinafter "Grant").

Applicants' representative argued that Holbrook, Taylor and Grant fail to read on independent claim 1 for at least the reason that, Holbrook, Taylor and Grant fail to disclose or suggest a means of transfer between the first container and the second container that is provided, the means of transfer comprising at least a first opening in the first container and at least a second opening in the second container, such that the second container defines a first

volume of air between the second opening of the transfer means and the at least one system for detecting the bacteria.

Respectfully submitted,



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WPB:RHR/nlp

Date: March 25, 2009

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